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November 7, 2005

United States Patent & Trademark Office  
Commissioner For Patents  
Attn: Kenneth J. Dorner, Special Programs Examiner  
Box 1450  
Alexandria, VA 22313-1450

Re: Application No. 09/940.211 "SHIFT"  
Response To September 15, 2005 Denial Of Petition  
Request For Reconsideration Based On USPO Documentation

Dear Sir:

Attached please find a copy of the Return Receipt and Certified Mail Receipt demonstrating that the material relating to the December 14, 2004 Response to the Office Action was indeed mailed.

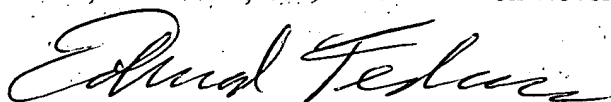
The reason for delay in responding to the Sept. 15, 2005 Denial was that I was attempting to communicate with Ms. Sherr to have her verify that she did in fact receive the Dec. 14, 2004 response material. I was finally able to contact Ms. Sherr this morning at 571-272-6711. Ms. Sherr stated she was out of the office due to a family matter and apologized for not sending the requested documents. Ms. Sherr can verify all of the above if needed.

I would also appreciate if the patent application would be reinstated and processed and that I be informed of what action the Patent Office will take under the circumstances noted above.

Respectfully submitted,

  
Edward Federowicz

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 7, 2005.

  
Edward Federowicz



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Delivery Conf (retail) 0.45  
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<p>1. Article Addressed to U.S. Patent Office ATTN: CA DEPT 88 BOSTON ORG. TO 3600 Bldg/Rm C146 P.O. Box 1450 ALEXANDRIA, VA 22313</p>		<p>3. Service Type <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer Mail) 7004 0750 0003 2308 2441</p>		<p>Domestic Return Receipt PS Form 3811, February 2004</p>	

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